
Former CJP Jillani recuses himself from heading judges' letter inquiry commission

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Former chief justice of Pakistan Tassaduq Hussain Jillani has recused himself from heading the inquiry commission tasked with investigating allegations of intelligence agencies meddling in the affairs of the Islamabad High Court (IHC). “Since the letter is addressed to the members of the Supreme Judicial Council and its chairman the Chief Justice of Pakistan, it would be violative of judicial propriety for me to inquire into a matter which may fall within the jurisdiction of a constitutional body which is the Supreme Judicial Council or the Supreme Court of Pakistan itself,” said the former chief justice in a letter sent to Prime Minister Shehbaz Sharif, dated April 1.

Thanking the premier and the cabinet for reposing confidence in him to head the commission, the retired judge stated the terms of the reference for the inquiry are not “strictly” relevant to the subject under consideration. Justice (retd) Jillani further added that the request made in the letter

is for an “institutional consultation”, with the terms of the mechanism suggested in the letter. He further added that the letter may not strictly fall within the parameters of Article 209 of the Constitution. “For the afore-referred reasons, I recuse myself to head the commission and proceed with the inquiry. The federal government on Saturday appointed former chief justice of Pakistan Tassaduq Hussain Jilani as the chief of an inquiry commission tasked with probing allegations that the country’s intelligence agencies are meddling into the affairs of the Islamabad High Court (IHC). The decision to approve the formation of an investigation body and to nominate Jilani as its head was made during a meeting of the federal cabinet chaired by Prime Minister Shehbaz Sharif. On Tuesday, six judges of the IHC—Justices Mohsin Akhtar Kayani, Tariq Mehmood Jahangiri, Babar Sattar, Sardar Ejaz Ishaq Khan, Arbab Muhammad Tahir and Saman Rafat Imtiaz—penned a letter to the Supreme Judicial Council (SJC), expressing their concerns about the “interference” of the intelligence agencies in the affairs of the court. Against the backdrop of escalating clamour for inquiry, Chief Justice of Pakistan (CJ) Qazi Faez Isa convened a full court meeting of the top court judges the next day. During a meeting between PM Shehbaz and CJP Isa on Thursday, it was decided to form a commission following the cabinet’s approval to probe into the concerns raised by the IHC judges.